

NEM:AS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

COMPLAINT

- against -

(18 U.S.C. § 922(g)(1))

MICHAEL JONES,

24-MJ-324

Defendant.

----- X

EASTERN DISTRICT OF NEW YORK, SS:

AMANDA VAN HOUTEN, being duly sworn, deposes and states that she is a Special Agent with the Federal Bureau of Investigation, duly appointed according to law and acting as such.

On or about April 13, 2024, within the Eastern District of New York and elsewhere, the defendant MICHAEL JONES, knowing that he had previously been convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did knowingly and intentionally possess in and affecting interstate or foreign commerce ammunition.

(Title 18, United States Code, Section 922(g)(1))

The source of your deponent's information and the grounds for his belief are as follows:¹

1. I am a Special Agent with the Federal Bureau of Investigation ("FBI") and have been a Special Agent since 2022. Prior to that, I was a Police Officer with the

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

Lackawanna Police Department in New York for five years. I have been involved in the investigation of numerous cases involving the possession and use of firearms and ammunition. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation.

2. On or about April 13, 2024, New York City Police Department ("NYPD") officers responded to a ShotSpotter activation indicating a shot fired at 554 Madison Street in Brooklyn, New York. One 9mm bullet shell casing was recovered in front of this location. Surveillance footage from the vicinity of 554 Madison Street from April 13, 2024, at approximately the time of the ShotSpotter activation, shows a Black man wearing light pants and a dark jacket firing a gun into the air. The surveillance footage also shows that the defendant's dark jacket has lighter-colored patches on his left sleeve.

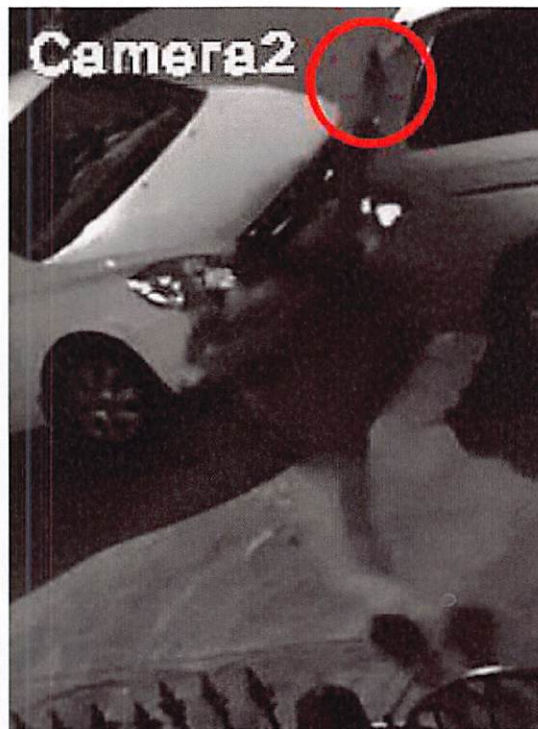


Figure 1



Figure 2

3. Additional surveillance footage from the minutes after the shot was fired shows the same individual around the corner from the location of the shooting. This footage, which is in color, shows the individual wearing light colored pants and a black jacket with Chicago Bulls insignia on the chest and light-colored patches on the sleeves. The individual's height and build also match the height and build of the individual seen on camera shooting the gun. Within days, the NYPD circulated a Wanted Flyer, No. 91790579, seeking further information regarding this individual.



POLICE DEPARTMENT
CITY OF NEW YORK

DETECTIVE BUREAU
Wanted Flyer # 91790579

POLICE DEPARTMENT
CITY OF NEW YORK



INFORMATION NEEDED FOR RECKLESS ENDANGERMENT

FIELD INFORMATION NEEDED - PERSON



/ MALE / BLACK

The 81 PDU is endeavoring to identify the above pictured individual in regard to reckless endangerment. The above individual discharged a firearm in the air in the vicinity of 554 Madison Street.

Figure 3

4. On or about April 16, 2024, an NYPD Officer from the 81st Precinct identified the individual in the Wanted Flyer, No. 91790579, as MICHAEL JONES, whom the NYPD Officer has arrested previously and seen numerous times, including on March 13, 2024, at the 81st Precinct when JONES was arrested for an unrelated incident.

5. On or about April 23, 2024, MICHAEL JONES arrived at the 81st Precinct to turn himself in as the individual in Wanted Flyer, No. 91790579. JONES stated to NYPD that he was the person in Wanted Flyer, No. 91790579. When JONES turned himself in, he was wearing the same black jacket with Chicago Bulls insignia and light-colored patches on

the sleeves. JONES waived his Miranda rights and agreed to be interviewed. During an interview, an NYPD Detective questioned JONES and showed JONES the surveillance footage of JONES shooting the firearm (the video from which Figure 1 was taken). JONES confirmed that he was the individual in the video shooting the gun but claimed that the firearm was an airsoft pistol.

6. Through the training that I have received, as well as my experience as an FBI Special Agent and Police Officer, I am familiar with firearms, the sounds that firearms make when being shot, and the muzzle flash that occurs when firearms are shot. Based on my previous experience as a Police Officer with the Lackawanna Police Department, I am also familiar with airsoft pistols, which shoot only spherical pellets or “BBs.” Based on my review of the surveillance footage of JONES shooting the firearm, including the audible sound of the gun being fired and the observable muzzle flash, and my training and experience, I believe that JONES fired a gun, not an airsoft pistol. Additionally, the retrieved 9mm bullet shell casing corroborates that JONES fired a gun, not an airsoft pistol, as airsoft pistols fire only “BBs.”

7. I have reviewed JONES’s criminal history. On or about February 24, 2014, JONES pleaded guilty to Robbery in the First Degree: Displaying What Appears to Be a Firearm, in violation of New York Penal Law Section 160.15(4), a felony punishable by more than one year in prison. The criminal history report also indicates that on or about March 6, 2014, JONES was sentenced to seven years’ imprisonment and five years’ post-release supervision for this crime.

8. I have conferred with an interstate nexus expert with the Bureau of Alcohol, Tobacco, Firearms and Explosives, who has informed me, in substance and in part, that the recovered ammunition was manufactured outside the state of New York.

WHEREFORE, your deponent respectfully requests that the defendant
MICHAEL JONES be dealt with according to law.

A handwritten signature in black ink, appearing to read "A. Van Houten", written over a horizontal line.

AMANDA VAN HOUTEN

Special Agent

Federal Bureau of Investigation

Sworn to before me this
25th day of April, 2024

A handwritten signature in blue ink, appearing to read "Robert Levy", written over a horizontal line.

THE HONORABLE ROBERT M. LEVY
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK